



# SENATOR RUNNER'S WEEK IN REVIEW

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## All-Mail Ballot Elections

The push to change to all-mail ballot elections in California has picked up steam in the last several months. This is evidenced by several newspapers recently advocating for them on their editorial pages, and several county elections officials, including the most vocal advocate Elaine Ginnold from Alameda County, pushing for urgency legislation that would allow their counties to hold an all-mail election in June. While efforts to move California to all-mail ballot elections is nothing new, the urgency and justification for the current push are new. Many county election officials are in a state of panic over whether the Secretary of State will certify various voting systems that meet voter accessibility and paper trail requirements in time for their use in the June primary.

Rather than base a major shift in the way California counties administer elections on panic and urgency, which is almost never a good way to make policy, policy makers should consider the bigger picture and the long-term impact of such a shift.

## California Law and Other States

All-mail ballot elections are elections where every voter in a given jurisdiction is provided with an absentee ballot. They are relatively new on our electoral landscape. This method of voting was first tried in our nation in a Monterey County flood control district election in 1977. Oregon is the only state that conducts all of its statewide elections on an all-mail basis. Other states, including Colorado, Florida, Kansas, Minnesota, Missouri, Montana, Nevada, New Mexico, North Dakota, and Washington, allow mail-in voting at one level or another, but may have restrictions on whether mail ballots can be used only for ballot questions, non-partisan races, etc. Two California counties—Alpine and Sierra—conduct all-mail ballot elections for all local, state, and federal elections because of a provision in state law that allows counties with precincts that have fewer than 250 voters in them to turn them into all-mail ballot precincts.

## Arguments in Support

### News of the Week

[State's Sexual Predator Law  
One of the Most Lenient in the Nation](#)

[Special Report: Sex Predators Are  
Released with No Monitoring](#)

[LAUSD's Runaway Benefits Costs](#)

[George Skelton: Message to UC Execs](#)

[Jill Stewart: Molesters' Friends in High Places](#)

[Debra Saunders: Truth Takes A Holiday](#)

[Press Release: Runner Introduces  
Community College Package](#)

According to proponents, all-mail balloting has the following advantages over traditional polling place elections: 1) It is cost effective; 2) It helps to increase voter participation; 3) It is much easier for elections officials to conduct elections by mail; 4) Voter lists are easier to accurately maintain; and 5) It gives voters a longer opportunity to study the ballot issues and find answers to their questions.

### **Arguments in Opposition**

Critics of all-mail voting universally argue that the biggest problem with all-mail balloting is that it substantially increases the potential for voter fraud. They point to the fact that unlike the polls, where election workers are present, mail ballots are out of the state's control during the actual voting process. They argue that this creates a number of avenues for voter fraud including: 1) Multiple registrations; 2) Mail tampering; 3) Voter intimidation; 4) Lack of controls; 5) Legitimate voters disenfranchised. To support this claim, critics point to the fact that upon arrival at the election office, the signature on the ballot envelope should be compared to the voter's registration card. They further point out that while county employees strive to be as accurate as possible in these comparisons, they are not handwriting experts and they must deal with thousands of ballots in a short time. Legitimate votes do get tossed out; 6) Limited accountability; and 7) Determination of voter intent. To support this claim, critics point out that when an improperly prepared ballot is cast and tabulated at the polls, the voter is given a second chance if the tabulating machine rejects the ballot. However, voters who vote by mail do not have that opportunity. Someone else does it for them.

Critics also refute the notion that all-mail voting saves money and improves voter turn out. They cite recent studies that contradict these notions. The studies were done by recognized experts on mail only elections.

Additionally, critics argue that vote-by-mail systems encourage a person to vote before having all the facts. A situation could arise where last minute revelations about a candidate surface that might change a person's vote. If a voter uses that information as the basis for an early vote and the information is later found false, then the voter cannot change the vote. However, if the voter had waited until Election Day to vote, the corrected information would have been available, allowing them to consider all relevant information before making a candidate selection.

Lastly, critics argue that all-mail voting, by prioritizing convenience above all, cheapens the voting process, fails to remind us of our civic duty, and could further alienate us from one another. Election Day in the United States should be a time when townspeople congregate at the polls and visit with neighbors. Traditional voting can bring real political energy to the polls and facilitate personal contact that all-mail balloting discourages.

### **Options**

The goal of any election reform proposal should be to ensure, to the greatest extent possible, an election process that securely and accurately distributes, collects, and counts ballots. The process also must ensure that all eligible voters are given an opportunity to cast a ballot. If this fails to happen, voter confidence in the integrity of the process will further decline. It appears that all-mail ballot elections do not meet these standards. As the 2001 National Commission on Federal Election Reform stated: "Growing use of absentee voting has turned this area of voting into the most likely opportunity for election fraud now encountered by law enforcement officials. These cases are especially difficult to prosecute, since the misuse of a voter's ballot or the pressure on voters occurs away from the polling place or any other outside scrutiny. These opportunities for abuse should be contained, not enlarged."

In an ideal world, that would mean minimizing the number of individuals who vote by mail and never authorizing an all-mail voting election. While never authorizing an all-mail election may be possible, reducing the number of individuals voting via absentee ballot seems unlikely. As was evidenced in the most recent election, more and more individuals are voting by absentee ballot. This can be directly attributed to the liberalization of absentee voting requirements (both in who can vote via absentee ballot and in who may pick up and return absentee ballots) by this Legislature. Thus, the trend towards increasing the number of absentee voters will likely continue.

With this trend, voters should insist on increased layers of security. County elections official should be required to file a "ballot security plan," which would detail the procedures for maintaining control of absentee ballots from the time they are received through the verification, counting, and certification process. The plan should include some form of personal identity verification and a ballot tracking system like the one instituted in San Mateo County. Additionally, absentee ballots should not be forwarded, but should be returned to the county voter registration office when they cannot be delivered by the Postal Service. Finally, absentee voters should be required to apply each year for an absentee ballot.

While the above suggestions may reduce the potential for fraud in vote-by-mail systems and make these systems more palatable, inherent flaws remain that can only be mitigated by the traditional voting system. As such, policy makers should proceed with caution before either expanding the pool of absentee voters or authorizing an all-mail ballot election.

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